

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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CARSON O'BRIAN,

Case No. 09-CV-2751 (PJS/AJB)

Plaintiff,

v.

ORDER ADOPTING REPORT AND  
RECOMMENDATION

JOHN DOE, MARY ROWE, and BANK OF  
AMERICA HOME LOANS, INC.,

Defendants.

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Carson O'Brian, pro se.

This matter is before the Court on plaintiff's objection to the Report and Recommendation ("R&R") of Magistrate Judge Arthur J. Boylan. Judge Boylan recommends summarily dismissing this action for lack of subject-matter jurisdiction pursuant to the *Rooker-Feldman* doctrine. *See Rooker v. Fidelity Trust Co.*, 263 U.S. 413 (1923); *District of Columbia Court of Appeals v. Feldman*, 460 U.S. 462 (1983).

The Court has conducted a de novo review. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Based on that review, the Court OVERRULES plaintiff's objection [Docket No. 6] and ADOPTS the R&R [Docket No. 5].

IT IS HEREBY ORDERED that:

1. This action is summarily DISMISSED WITHOUT PREJUDICE for lack of subject-matter jurisdiction.

2. Plaintiff's motion for leave to proceed *in forma pauperis* [Docket No. 2] is  
DENIED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 9, 2009

s/Patrick J. Schiltz

Patrick J. Schiltz

United States District Judge